

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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AXION POWER INTERNATIONAL, INC., ET AL.,

Plaintiffs,

- against -

MERCATUS & PARTNERS, LTD., ET AL.,

Defendants.

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Sweet, D.J.,

07 Civ. 11493 (RWS)

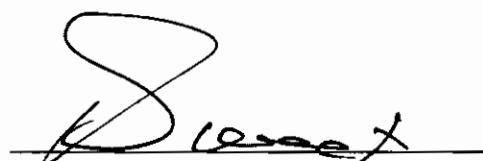
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DATE FILED: <u>3/25/08</u>

Defendant Dwight Parscale's Motion to Dismiss, dated March 15, 2008, will be heard at noon on Wednesday, May 7, 2008, in courtroom 18C. All motion papers shall be served in accordance with Local Civil Rule 6.1.

It is so ordered.

New York, NY
March 24, 2008


ROBERT W. SWEET
U.S.D.J.